w] N O M Æ

IN THE ULLITED STATES PATENT AND TRADEMARK OFFICE

Substitute Declaration for Patent Application

COPY FOR CONTINUING **APPLICATION**

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled MODULATED RELEASE FROM BIOCOMPATIBLE POLYMERS the specification of which (check one) []is attached hereto. [X]was filed on April 7, 1998 _____ as United States Application Number 09/056,566 and was amended on _____ (if applicable). I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56. I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: Prior Foreign Application(s) Priority Not N Claimed (Number) (Country) (Day/Month/Year filed) (Number) (Day/Month/Year filed) (Country)] (Number) (Day/Month/Year filed) (Country) I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below. (Application Number) (Filing Date) (Application Number) (Filing Date)

I hereby claim the benefit unco. Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/727,531 (U.S. National Phase of PCT/US95/05511		
filed May 3, 1995)	October 22, 1996	Abandoned
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
08/237.057	May 3, 1994	Patented
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
07/849,754	March 12, 1992	Abandoned
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(1xppineacion Serial 140.)	(I limg date)	(braids, paterned, perioding, abandoned)
•	Hamilton, Brook, Smith & R 2 Militia Drive Lexington, Massachusetts 02 Customer No. 21005	Reynolds, P.C.
		nt and Trademark Office connected therewith.
No. 21005 to file and prosecute a	m international application unde	e attorneys and/or agents associated with Customer er the Patent Cooperation Treaty based upon the mated office requirements for designated states;
and		
Send correspondence to	: <u>David E. Brook, Esq.</u>	
	Hamilton, Brook, Smith & F	Reynolds, P.C.
	Two Militia Drive, Lexingto	n. Massachusetts 02421
Direct telephone calls to	o: <u>David E. Brook, Esq.</u>	
	781 861-6240	
Direct facsimiles to:	David E. Brook. Esq.	
	781 861-9540	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full name of sole or first inventor Howard Bernstein Inventor's Signature Residence 929 Massachusetts Avenue, No. 2B Cambridge, Massachusetts 02139 Citizenship Canada Post Office Address Same as above Full name of second joint inventor, if any Yan Zhang Inventor's Signature_ 1230 Chula Vista Drive Residence ___ Belmont California 94002 Citizenship_ China

Full name of third joint inventor, if any M. Amin Khan Inventor's Signature Residence 5163 SUE DRIVE Downington, Pennsylvania 19335 CARMEL IN 46033 Citizenship _ United Kingdom Post Office Address Same as above Full name of fourth joint inventor, if any _____ Mark A. Tracv Inventor's 8/18/98 Signature_ Residence_ 190 Hillside Avenue Arlington, Massachusetts 02474 Citizenship_ United States Post Office Address _ Same as above

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Same as above